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**SECRETARY OF DEFENSE ROBERT M. GATES
STATEMENT ON "DON'T ASK DON'T TELL" POLICY
SENATE ARMED SERVICES COMMITTEE
TUESDAY, FEBRUARY 2, 2010**

Last week, during the State of the Union address, the President announced that he will work with Congress this year to repeal the law known as "Don't Ask Don't Tell". He subsequently directed the Department of Defense to begin the preparations necessary for a repeal of the current law and policy.

I fully support the President's decision. The question before us is not *whether* the military prepares to make this change, but *how* we best prepare for it. We have received our orders from the Commander in Chief and we are moving out accordingly. However, we also can only take this process so far as the ultimate decision rests with you, the Congress.

I am mindful of the fact, as are you, that unlike the last time this issue was considered by the Congress more than 15 years ago, our military is engaged in two wars that have put troops and their families under considerable stress and strain. I am mindful, as well, that attitudes towards homosexuality may have changed considerably -- both in society generally and in the military -- over the intervening years.

To ensure that the department is prepared should the law be changed, and working in close consultation with Admiral Mullen, I have appointed a high-level working group within the department that will immediately begin a review of the issues associated with properly implementing a repeal of the "Don't Ask, Don't Tell" policy. The mandate of this working group is to thoroughly, objectively and methodically examine all aspects of this question and produce its finding and recommendations in the form of an implementation plan by the end of this calendar year. A guiding principle of our efforts will be to minimize disruption and polarization within the ranks, with special attention paid to those serving on the front lines. I am confident that this can be achieved.

The working group will examine a number of lines of study, all of which will proceed simultaneously.

First, the working group will reach out to the force to authoritatively understand their views and attitudes about the impacts of repeal. I expect that the same sharp divisions that characterize the debate over these issues outside of the military will quickly seek to find their way into this process, particularly as it pertains to what are the true views and attitudes of our troops and their families. I am determined to carry out this process in a way that establishes objective and reliable information on this question with minimal influence by the policy or political debate. It is essential that we accomplish this in order to have the best possible analysis and information to guide the policy choices before the Department and the Congress.

Second, the working group will undertake a thorough examination of all the changes to the department's regulations and policies that may have to be made. These include potential revisions to policies on benefits, base housing, fraternization and misconduct, separations and discharges, and many others. We will enter this examination with no preconceived views, but a recognition that this will represent a fundamental change in personnel policy -- one that will require we provide our commanders with the guidance and tools necessary to accomplish this transition successfully and with minimal disruption to the Department's critical missions.

Third, the working group will examine the potential impacts of a change in the law on military effectiveness, including how a change might affect unit cohesion, recruiting and

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retention, and other issues crucial to the performance of the force. The working group will develop ways to mitigate and manage any negative impacts.

These are, generally speaking, the broad areas we have identified for study under this review. We will, of course, continue to refine and expand these as we get into this process or engage in discussion with the Congress or other sources.

In this regard, we expect that the working group will reach out to outside experts with a wide variety of perspectives and experience. To that end, the Department will, as requested by this committee, ask the RAND Corporation to update their study from 1993 on the impacts of allowing homosexuals to serve openly in the military. We have also received some helpful suggestions on how this outside review might be expanded to cover a wide swath of issues. This will be a process that will be open to views and recommendations from a wide variety of sources, including, of course, Members of Congress.

Mr. Chairman, I expect that our approach may cause some to wonder why it will take the better part of the year to accomplish this task. We looked at a variety of options, but when you take into account the overriding imperative -- to get this right and minimize disruption to a force that is actively fighting two wars and working through the stress of almost a decade of combat -- then it is clear to us that we must proceed in manner that allows for the thorough examination of all issues. An important part of this process is to engage our men and women in uniform and their families over this period since, after all, they will ultimately determine whether we make this transition successfully or not.

To ensure this process is able to accomplish its important mission, Chairman Mullen and I have determined that we need to appoint the highest level officials to carry it out. Accordingly, I am naming the Department of Defense General Counsel, Jeh Johnson, and General Carter Ham, Commander of US Army Europe, to serve as the co-chairs to for this effort.

Simultaneous with launching this process, I have also directed the Department to quickly review the regulations used to implement the current Don't Ask Don't Tell law and, within 45 days, present to me recommended changes to those regulations that, within existing law, will enforce this policy in a more humane and fair manner. You may recall that I asked the Department's General Counsel to conduct a preliminary review of this matter last year. Based on that preliminary review, we believe that we have a degree of latitude within the existing law to change our internal procedures in a manner that is more appropriate and fair to our men and women in uniform. We will now conduct a final detailed assessment of this proposal before proceeding.

Mr. Chairman, Senator McCain and members of this committee, the Department of Defense understands that this is a very difficult and, in the minds of some, controversial policy question. I am determined that we in the Department carry out this process professionally, thoroughly, dispassionately, and in a manner that is responsive to the direction of the President and to the needs of the Congress as you debate and consider this matter. However, on behalf of the men and women in uniform and their families, I also ask that you work with us to, insofar as possible, to keep them out of the political dimension of this issue. I am not asking for you not to do your jobs fully and with vigor, but rather that as this debate unfolds, you keep the impact it will have on our forces firmly in mind.

Thank you for this opportunity to lay out our thinking on this important policy question. We look forward to working with the Congress and hearing your ideas on the best way ahead.

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